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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/738,420      | 12/17/2003  | Hideto Nakamura      | FP03-139US          | 8338             |

1218 7590 02/24/2005

CASELLA & HESPOS  
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NEW YORK, NY 10016

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| EXAMINER |
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HAMMOND, BRIGGITTE R

|          |              |
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| ART UNIT | PAPER NUMBER |
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2833

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|                              |                                 |                                  |  |
|------------------------------|---------------------------------|----------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/738,420   | Applicant(s)<br>NAKAMURA, HIDETO |  |
|                              | Examiner<br>Brigitte R. Hammond | Art Unit<br>2833                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/17/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Objections*

Claims 7 are objected to because of the following informalities: line 3 of claim 7 is unclear. For purposes of examination, the Examiner shall assume - - two pullable portions are provided substantially symmetrically on sides of the slider near where the escape groove is formed- -. Appropriate correction is required.

### *Claim Rejections - 35 USC § 22*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 22 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (22), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 22(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 2 e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 2(e)).

Claims 1-3 and 6 are rejected under 35 U.S.C. 2(e) as being anticipated by Kashiyama. Kashiyama discloses a connector, comprising a housing (22) connectable with a mating housing (2), wherein the housing (22) being telescoped with a slider (21)

that is movable with respect to the housing (22), and a biasing member (23) provided between the slider (21) and the housing (22) and being compressible to accumulate a biasing force for separating the housing (22) from the mating housing (2) as the slider (21) is moved, the housing (22) having at least one pushable portion (51) that is pushable at the time of connecting the housing (22) and the mating housing (2), and the slider (21) being formed with at least one escape groove (52) for receiving the pushable portion (51).

Regarding claim 2, wherein the housing (22) has two pushable portions (51) symmetrically disposed on the housing (22).

Regarding claim 3, the slider (21) is movable forward and backward substantially along connecting and separating directions of the housing and the mating housing.

Regarding claim 6, wherein the slider (21) comprises at least one pullable portion (25) pullable at the time of separating the housing from the mating housing.

Claims 1, 3-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsumoto 4,993,967. Regarding claim 1, Matsumoto discloses a connector, comprising a housing (A) connectable with a mating housing (B), wherein the housing (A) being telescoped with a slider (C) that is movable with respect to the housing (A), and a biasing member (15) provided between the slider (C) and the housing (A) and being compressible to accumulate a biasing force for separating the housing (A) from the mating housing (B) as the slider (C) is moved, the housing (A) having at least one pushable portion (5) that is pushable at the time of connecting the housing (A) and the

mating housing (B), and the slider (C) being formed with at least one escape groove (12a) for receiving the pushable portion.

Regarding claim 3, the slider (C) is movable forward and backward substantially along connecting and separating directions of the housing and the mating housing.

Regarding claim 4, the slider (C') has a substantially tubular shape for at least partly surrounding the housing (A').

Regarding claim 5, the slider (C') has a substantially rectangular tubular shape and is configured to project back from a receptacle (7') of the mating housing (B') when the two housings are connected properly.

Regarding claim 6, wherein the slider (C) comprises at least one pullable portion (11a) pullable at the time of separating the housing from the mating housing.

Regarding claim 7, two pullable portions (11a) are provided substantially symmetrically on sides of the slider near where the escape groove is formed.

Regarding claim 8, Matsumoto discloses a connector assembly comprising: a housing (A) and a mating housing (B) that are connectable with one another, at least one pushable portion (5) formed on the housing (A) and configured for pushing the housing toward the mating housing (B) to achieve connection, to a slider (C) movable with respect to the housing (A) and at least partly surrounding the housing (A), the slider (C) being formed with at least one escape groove (12a) for receiving the pushable portion (5) of the housing (A), and a biasing member (15) provided between the slider (C) and the housing (A) and being compressible to accumulate a biasing force for separating the housing (A) from the mating housing (B) as the slider (C) is moved.

Regarding claim 9, the mating housing (B) includes a receptacle (6,8) for receiving at least portions of the housing (A) and the slider (C).

### ***Allowable Subject Matter***

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


The following is a statement of reasons for the indication of allowable subject matter: patentability reside, at least in part, in the mating housing having a resilient displacing portion which is resiliently displaceable to interfere with the slider during the connection/separation of the housings while being restored so as not to interfere with the slider when the two housings are connected properly, in combinations with the other limitations of the base claim.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is 571-272-2006. The examiner can normally be reached on Mon.-Thurs. and Alternate Fridays from 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Brigitte R. Hammond  
Examiner  
Art Unit 2833

February 11, 2005